



TOWN OF JACKSON PLANNING COMMISSION AGENDA DOCUMENTATION

PREPARATION DATE: NOVEMBER 30, 2018
MEETING DATE: DECEMBER 5, 2018

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: TYLER SINCLAIR
PRESENTER: PAUL ANTHONY

SUBJECT: **ITEM P18-267:** REQUEST FOR APPROVAL TO AMEND THE OFFICIAL ZONING MAP FROM URBAN COMMERCIAL (UC) TO DOWNTOWN CORE (DC) FOR TWO PROPERTIES LOCATED AT 135 & 175 EAST BROADWAY AVENUE.

OWNER: DELONEY STREET LLC & BWD ST LLC

APPLICANT: JEFF GOLIGHTLY

REQUESTED ACTION

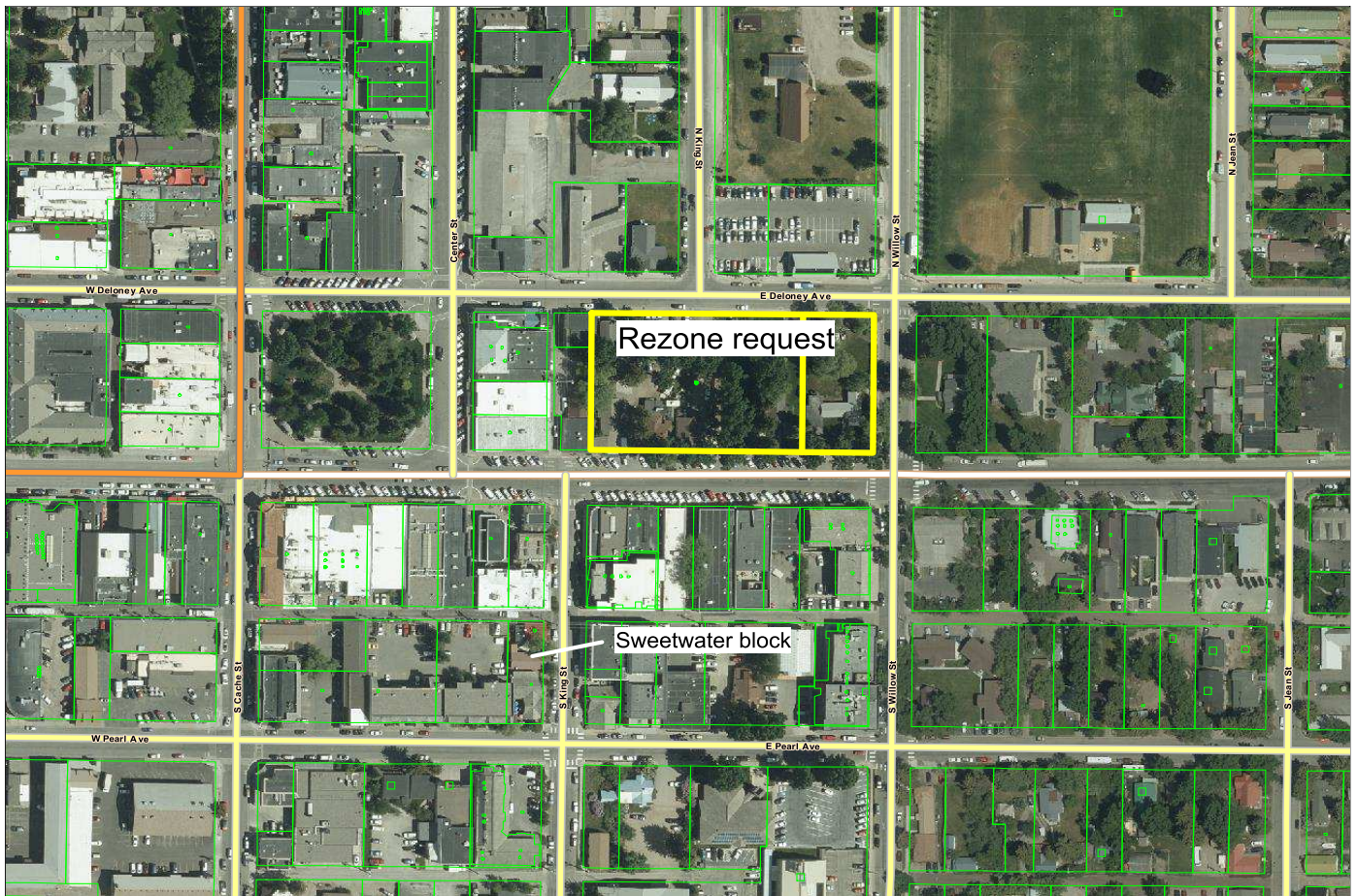
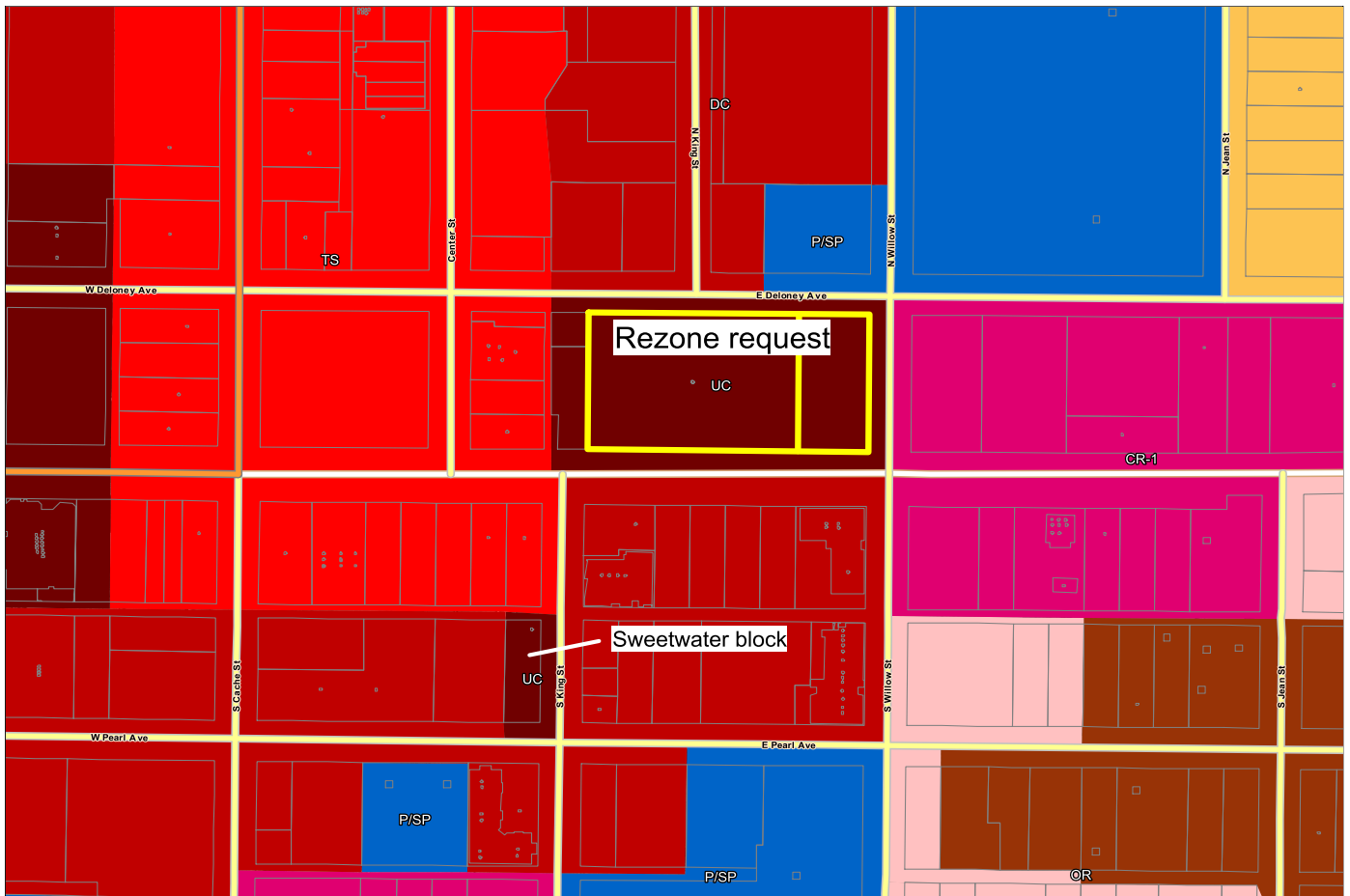
The applicant are requesting approval to amend the Official Zoning Map to rezone two properties located at 135 & 175 East Broadway Avenue from Urban Commercial (UC) to Downtown Core (DC).

APPLICABLE REGULATIONS

Section 8.7.2 Zoning Map Amendment

LOCATION

The properties are located at 135 & 175 East Broadway Avenue, legally described as parcels PT SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116 and PT SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116. An aerial photo and zoning map are shown below:



BACKGROUND

Existing Site Characteristics:

The two subject parcels have been zoned UC since 1994. The larger property at 135 E. Broadway is 1.38 acres and has six primary structures on the site that house the following businesses: (facing Broadway) Belle Cose, Café Genevieve, Persephone Bakery, and the Whole Being Juicery, and (facing Deloney) the Home Design and the Workshop buildings. The smaller .46-acre property at 175 E. Broadway has one primary structure that serves as a residential unit. All of the six structures on 135 E. Broadway are older buildings of historical significance to varying degrees, with the Van Vleck House (where Café Genevieve operates) being the only structure on the Teton County Historical Preservation Board's list of historically significant structures, as well as on the National Register of Historic Places (please see letter from the Teton County Historic Preservation Board for more background on the historic resources on the site). The site also has considerable green open space and large cottonwood trees that add considerably to the character of the site. Both parcels are 'double frontage' properties meaning that they are bounded by two street frontages – Broadway on the south and Deloney on the north. While there is an existing public alley located to the immediate west of the property, the applicant's 400'-wide property has no internal alley or pedestrian connections. Should a Development Plan for a subdivision be submitted in the future, the Town may consider the need for a public alley to be dedicated at that time to provide access for service vehicles, etc. The properties to the west are zoned Town Square (TS), to the north and south Downtown Core (DC), and to the east Commercial Residential - 1 (CR-1).

District 2 Rezoning Update

During the rezoning effort for District 2 (Commercial Core) that was adopted in 2016, the applicant's two properties were proposed for Downtown Core (DC) zoning by staff to be consistent with the properties across the street on Broadway and the general vision for the area. The Council decided to postpone the new zoning, however, due to concerns about the lack of zoning tools to protect the site's historic structures. The Council had the same concern about the historic structures on the 'Sweetwater' property at 85 S. King Street. More specifically, the Council did not believe that the primary current tool for protecting historic structures – i.e., the ability of the Historic Preservation Board to request a 90-day stay from the Council on a demolition permit for a historic structure – was enough. This is especially true because if no preservation buyer or alternative site for a historic structure can be found within the 90-day grace period, the landowner can demolish the historic structure without further process. Due to this context, the Council decided to keep the existing UC zoning for both the East Broadway and King Street blocks with the understanding that Town staff would look into possible new historic preservation LDR tools for consideration by the Council in the future. The assumption was that these two UC areas would be reconsidered for rezoning to another possibly more appropriate zone once new historic preservation LDR tools were considered and decided upon. No timeline was provided for these LDR changes at the time but the Planning Department now has on its 2019 Work Plan that new historic preservation LDRs and Town Square LDRs will be considered together because they are closely related topics and likely affect the same areas of Town.

It should be noted also that the Historic Preservation Board has issued an RFP for a consultant to provide an analysis of best practices/zoning tools that could reasonably apply in the Town of Jackson. The results from this study are not expected to be available until approximately June, 2019. The Historic Preservation Board is also requesting approximately \$25,000 from the Town to help fund the study.

Applicant's Request:

The applicant is proposing to change the zoning of both parcels from UC to DC. They state that this change would be consistent with the direction the Town was going before the Council removed these properties from the District 2 update to address historic preservation options. In recognition of the Council's concerns over the historic structures on the site, the applicant approached the Historic Preservation Board and proposed a voluntary 'special restriction' that would apply to any current or future landowner of the properties that

would preserve the Van Vleck House (i.e., Café Genevieve) at its current location fronting Broadway and commit to relocating the Persephone and Whole Being Juicery structures to off-site locations in ‘meaningful’ locations but with no guarantee of their long-term preservation. The Historic Preservation Board has been generally supportive of the goals of the special restriction, but it has not agreed to support the restriction at this time (see the attached comment from the Historic Preservation Board).

STAFF ANALYSIS

The applicant’s request is limited to amending the Official Zoning Map to change the two subject properties from UC to DC zoning. It does not include any proposed physical development or project. Thus, the Town’s review is limited only to making the required finding for a map amendment in Section 8.7.2 (see below).

While staff acknowledges that the proposed DC zone could very well be appropriate for the site based on the vision in the Comprehensive Plan and surrounding uses, we also recognize that the site has a unique concentration of historically significant structures located in a very prominent downtown location that is well used (and loved) by locals and visitors. The applicant’s site is one of the key character areas of downtown Jackson. And given that staff has not yet had an opportunity to propose any new, comprehensive historic preservation tools for Council (or review the Historic Preservation Board’s planned study) as part of its 2019 Work Plan, staff finds that it would be premature to approve the requested rezone before the community has had this important conversation. Furthermore, the Historic Preservation LDRs are intended to be combined with an LDR update of the current Town Square zoning. Together, these two related topics will look at more specific ways to better protect not only historic structures but our western, small town character in our Town Square area (see excerpt below from the adopted FY 19 Implementation Work Plan).

Town Square Zoning and Historic Preservation LDRs

- **Goal:** Update the zoning in the Town Square Character District to implement the desired future character of the Comprehensive Plan. Town Square zoning may include specific design requirements not included in other zones. Because of the number of historic structures in this area, creation of allowances and incentives for the preservation of historically significant

Progress	Not begun		
Timeframe	Jan. 2019 – Jun. 2020		
Task Lead	Town Planning		
Resources	FY 19	FY 20	Total
<i>ToJ Pro. Services</i>	\$ 18,000	\$ 49,500	\$ 67,500
<i>County Pro. Services</i>	\$ 2,000	\$ 5,500	\$ 7,500
<i>Town Planning</i>	50	450	500
<i>Long-Range Planning</i>	10	40	50
<i>Planning Director</i>	10	40	50

structures will be a part of this project. The historic preservation standards created may then be applied elsewhere in the Town and County. As a result, while the Town will take the lead on the project the County will contribute staff and fiscal resources.

- **Comp Plan Strategies:** 4.1.S.1, 4.2.S.1, 4.2.S.4, 4.4.S.3, 4.5.S.1
- **Status:** This Task will begin with the seating of the new Council in 2019.

Staff believes that the above Town Square Zoning and Historic Preservation LDRs should be completed before the applicant’s properties are considered for rezoning, keeping in mind that the two subject parcels could be discussed (and zoned) in the context of the Town Square area and not just whether it should be zoned DC as requested in this application.

Staff’s recommendation does not preclude the properties from development because the owners can still develop under the current UC zoning. To help understand how the UC and DC zones compare in terms of basic development standards, please see the below table:

Comparison of UC and DC Zones		
Standard	UC	DC
FAR	1.3	1.3
Height	35'	42' – 46'
Stories	3 (Lodging Overlay)	3
3rd-story setback	None	10' with 60% encroachment
LSR	10%	0%
Setbacks (Front/side/rear)	0'/0'/0'	0'-5'/0' or 5'/0' or 5'
Maximum building size	35,000 sf with CUP	None
Uses	Generally the same	Generally the same
Workforce Housing Bonus (2:1 tool)	Not allowed. Instead, 25% FAR bonus for workforce housing	Allowed
FAR		

In summary, while the allowed floor area of both the UC and DC is the same, the main difference is that the DC zone's additional height allows greater flexibility in design and the DC zone does not have the 35,000 sf size limit for an individual building size.

PUBLIC COMMENT

The Town has received five letters of public comment (attached). Generally, the public comment is concerned about the possibility of the site being converted to a hotel or other use that would replace the current historic structures and open space.

In addition, the Town has received a letter from the Teton County Historical Preservation Board. In general, the letter provides a summary of the historic resources on the property, including some of the ongoing efforts by the Preservation Board to further study the historic structures on the site as well as to conduct a study of best practices for zoning tools to encourage historic preservation. It concludes by stating that they would like first complete their own study and for the Town to complete its Historic Preservation LDR update before they provide any final recommendation on the rezoning of the applicant's property.

STAFF FINDINGS

Item A: Pursuant to Section 8.7.2.D the advisability of amending the Official Zoning Map is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed zoning map amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. *Is consistent with the purposes and organization of the LDRs.*

Does not comply. As stated in the staff report, staff finds that this rezoning request is premature given the Council's previous direction to postpone new zoning of the subject properties until additional work to identify possible historic preservation tools by the Council. Until that process is complete, which might include some LDR changes and incentives to better address historic structures, staff finds that a rezone to DC is not advised and would not be fully consistent with the purposes of the LDRs.

2. *Improves implementation of the desired future character defined in the Illustration of Our Vision chapter of the Comprehensive Plan.*

Sub-area 2.3 Downtown Commercial Core: his large, mixed use, TRANSITIONAL Subarea currently consists of a variety of retail, restaurant, office and other commercial activities, along with long-term residences and lodging in a variety of building sizes and forms. Downtown is the center of civic, cultural, economic, and social activity in the community as well as the center of the visitor experience, as a significant amount of lodging is located here. The existing character and built form is varied and inconsistent. The goal of this subarea is to create a vibrant mixed use area by accommodating a variety of uses and amenities. The subarea will be the starting point for the development of a refined Lodging Overlay boundary and future discussion of the type and size of lodging desired. A key challenge will be to provide a balance between lodging and long-term residential housing. Future structures will be predominantly mixed use, while multifamily structures will be allowed if it properly addresses the street. Commercial uses that create an active and engaging pedestrian experience will be predominantly located on the first and second floors of buildings. Examples of these uses include restaurants, bars, a variety of retail shops and commercial amusement. Furthermore, as portions of the subarea will be located within a future Downtown Retail Shopping District, uses such as office, residential and lodging will be predominantly located on upper floors. A goal of this subarea will be to create a consistent building size and form. In the future, a variety of two to three story buildings are desired. Buildings should be located to create an attractive street wall and take advantage of good urban design principles including massing, articulation and the provision of public space. The pedestrian realm will be of great importance in this mixed use subarea, and emphasis should be placed on adding improvements focusing on the pedestrian experience. Parking should continue to be provided predominately in public lots and on street to create a vibrant, walkable area that is oriented to the pedestrian. On-site parking should be predominantly underground or screened from view. Future redevelopment should enhance the Flat Creek corridor for recreational and ecological purposes. Buildings should front onto the creek to provide opportunities for interaction and enjoyment of this community resource.

Does not comply. The proposed rezone is not fully consistent with the above vision for Subarea 2.3 because while we need to encourage a strong retail and visitor experience in the downtown, we also need to balance this goal with the protection of the downtown's historic western character that is the reason so many people want to visit Jackson in the first place. In this light, the rezone request is premature because the community has not had the opportunity to fully explore and consider new options and incentives for protecting historic structures that are such an important part of our identity. And knowing that once historic structures are lost that they are generally lost forever, it is prudent for the Council and the community to take the necessary time to discuss how we are going to address our historic structures moving forward.

Common Value 1: Ecosystem Stewardship

Not Applicable.

Common Value 2: Growth Management

4.1.d: Maintain Jackson as the economic center of the region

Does not comply. Because the proposed rezone request to DC was submitted prior to the Town having an opportunity to do a comprehensive analysis of historic preservation tools and incentives for Council consideration, the request is not fully consistent with the goal of maintaining Jackson as the economic center of the region in a way that protects all of our physical and cultural assets.

4.2.c: Create vibrant walkable mixed use subareas

Not Applicable. There is no physical development proposed.

4.2.d: Create a Downtown Retail Shopping District

Does not comply. Because the proposed rezone request to DC was submitted prior to the Town having an opportunity to do a comprehensive analysis of historic preservation tools and incentives for Council consideration, the request is not fully consistent with the goal of creating a Downtown Retail Shopping District in a way that protects all of our physical and cultural assets.

4.2.f: Maintain lodging as a key component in the downtown

Not Applicable. There is no physical development proposed.

4.4.b: Enhance Jackson gateways

Not applicable.

Policy 4.4.d: Enhance natural features in the built environment

Not applicable.

Common Value 3: Quality of Life

Policy 5.2.d: Encourage deed-restricted rental units

Not Applicable. There is no physical development proposed.

6.2.b: Support businesses located in the community because of our lifestyle

Not applicable. There is no physical development proposed.

6.2.c: Encourage local entrepreneurial opportunities

Not applicable. There is no physical development proposed.

6.3.a: Ensure year-round economic viability

Not applicable. There is no physical development proposed.

7.1.c: Increase the capacity for use of alternative transportation modes

Not applicable. There is no physical development proposed.

Does not comply. As stated in the staff report, staff finds that this rezoning request is premature given the Council's previous direction to postpone rezoning of the subject properties until additional work to identify possible historic preservation tools and incentive could be considered by the Council. Until that process is complete, which might include some changes to better address historic structures, staff finds that a rezone to DC is not advised and would not be fully consistent with the desired future character for these properties.

3. *Is necessary to address changing conditions or a public necessity.*

Does not comply. As stated in the staff report, staff finds that this rezoning request is premature given the Council's previous direction to postpone rezoning of the subject properties until additional work to identify possible historic preservation tools and incentives could be considered by the Council. Until that process is complete, which might include some changes to better address historic structures, staff finds that a rezone to DC is not advised and would not be fully consistent with the desired future character for these properties.

4. *Is consistent with other adopted Town Ordinances.*

Complies. Staff finds that the proposed request is consistent with all other Town Ordinances.

ATTACHMENTS

Applicant Submittal
Department Reviews
Public Comment

RECOMMENDATION

The Planning Director recommends **denial** of the request (P18-267) to amend the Official Zoning Map to rezone two properties located at 135 & 175 East Broadway Avenue from Urban Commercial (UC) to Downtown Core (DC) subject to the staff analysis and findings in this staff report and department reviews attached hereto.

SUGGESTED MOTION

Based upon the findings for an amendment to the Official Zoning Map as presented by the applicant and by the Commission for Item P18-267 related to 1) consistency with the purposes and organization of the LDRs; 2) improved implementation of the desired future character in the Comprehensive Plan; 3) need to address changing conditions or a public necessity; and 4) consistency with other adopted Town Ordinances, I move to recommend **approval** to the Town Council to change the zoning from Urban Commercial (UC) to Downtown Core (DC) for the properties located at 135 & 175 East Broadway Avenue and legally described as parcels PT SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116 and PT SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116, subject to this staff report and the departmental reviews attached hereto.

Please note that although staff is recommending denial motions are always made in the affirmative. Should the Commission recommend approval they shall articulate how the required findings are being satisfied.



PLANNING PERMIT APPLICATION
Planning & Building Department
Planning Division

150 E Pearl Ave. ph: (307) 733-0440
P.O. Box 1687 fax: (307) 734-3563
Jackson, WY 83001 www.townofjackson.com

Fees Paid _____

For Office Use Only

Check # _____

Credit Card _____

Cash _____

Application #s _____

PROJECT.

Name/Description: E. Broadway Rezoning

Physical Address: 135, 175 East Broadway

PIDN: 22-41-16-27-3-00-010;

Lot, Subdivision: n/a

PIDN: 22-41-16-27-3-00-009

OWNER.

Name: Deloney Street, LLC; BWD Street, LLC

Phone: 690-1304

Mailing Address: POB 10309, Jackson, WY

ZIP: 83002

E-mail: jeff@gardnercmc.com

APPLICANT/AGENT.

Name: Jeff Golightly

Phone: same as above

Mailing Address: same as above

ZIP: _____

E-mail: same as above

DESIGNATED PRIMARY CONTACT.

____ Owner ☒ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; see Fee Schedule for applicable fees.

Use Permit

____ Basic Use

____ Conditional Use

____ Special Use

Physical Development

____ Sketch Plan

____ Development Plan

Interpretations

____ Formal Interpretation

____ Zoning Compliance Verification

Relief from the LDRs

____ Administrative Adjustment

____ Variance

____ Beneficial Use Determination

____ Appeal of an Admin. Decision

Development Option/Subdivision

____ Development Option Plan

____ Subdivision Plat

____ Boundary Adjustment (replat)

____ Boundary Adjustment (no plat)

Amendments to the LDRs

____ LDR Text Amendment

☒ Zoning Map Amendment

____ Planned Unit Development

____ Other: _____

PRE-SUBMITTAL STEPS. Pre-submittal steps, such as a pre-application conference, environmental analysis, or neighborhood meeting, are required before application submittal for some application types. See Section 8.1.5, Summary of Procedures, for requirements applicable to your application package. If a pre-submittal step is required, please provide the information below. If you need assistance locating the project number or other information related to a pre-submittal step, contact the Planning Department. **If this application is amending a previous approval, indicate the original permit number.**

Pre-application Conference #: P18-194 Environmental Analysis #: n/a
Original Permit #: n/a Date of Neighborhood Meeting: 9/6/2018

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Provide **one electronic copy** (via email or thumb drive), and **two hard copies** of the submittal packet.

Have you attached the following?

- ☒ **Application Fee.** Fees are cumulative. Applications for multiple types of permits, or for multiple permits of the same type, require multiple fees. See the currently adopted Fee Schedule in the Administrative Manual for more information.
- ☒ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. If the owner is a partnership or corporation, proof that the owner can sign on behalf of the partnership or corporation is also required. Please see the Letter of Authorization template in the Administrative Manual for a sample.
- ☒ **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is held, the submittal requirements will be reviewed at the conference followed by a written summary. The submittal requirements on the TOJ website are intended as a reference to assist you in submitting a sufficient application.

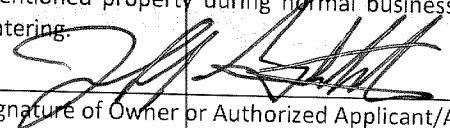
FORMAT.

The main component of any application is demonstration of compliance with all applicable Land Development Regulations (LDRs) and Resolutions. The submittal checklists are intended to identify applicable LDR standards and to outline the information that must be submitted to sufficiently address compliance with those standards.

For some submittal components, minimum standards and formatting requirements have been established. Those are referenced on the checklists where applicable. For all other submittal components, the applicant may choose to make use of narrative statements, maps, drawings, plans and specifications, tables and/or calculations to best demonstrate compliance with a particular standard.

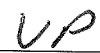
Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.


Signature of Owner or Authorized Applicant/Agent
Jeff Golightly
Name Printed

8/30/2018

Date


Title

135, 175 EAST BROADWAY REZONING REQUEST FROM UC/LO TO DC/LO

Proposal

This application proposes to rezone property at 135 and 175 East Broadway from Urban Commercial/Lodging Overlay (UC/LO) to Downtown Core/Lodging Overlay (DC/LO).

Recent History, Context

This application proposes to complete the task that was initiated by Town planners and officials in 2014 and 2015 and zone property on East Broadway, located 225 feet from the Town Square, as DC/LO. Town planners, acting on the direction of the Mayor and Town Council and implementing the Comprehensive Plan, brought forward a 2014 plan to rezone the downtown commercial core to DC. This plan created a zoning district designed to accomplish numerous Comprehensive Plan goals and apply the newly conceived form-base-zoning code. This Town initiative included 135 and 175 East Broadway, the property that is the subject of this request to amend the zoning map.

In addition to the favorable recommendation from the Planning Department, the Planning Commission also recommended approval of the zoning plan with the East Broadway property included. The Mayor and Town Council progressed toward a vote on the zoning plan with no hesitation about including the subject property when, at one of the last meetings before the Council's approval of the zoning plan, the East Broadway property was removed from the plan.

A concern expressed by the Teton County Historic Preservation Board precipitated the removal. The TCHPB was concerned that inadequate tools existed to preserve buildings that have historic significance. The subject property contains one historic structure that houses Café Genevieve, and two additional buildings of significance to TCHPB that house Persephone's Bakery and the Juicery. Owners of the subject property took TCHPB's concern seriously and have devised a plan in conjunction with the TCHPB to preserve all three buildings. TCHPB now supports moving forward to add the property to the DC zoning district. Below is a motion unanimously approved by the TCHPB during a recent meeting.

"The TCHPB agrees to support efforts to rezone 135-175 East Broadway to the downtown core zoning in exchange for Garner Capital management's commitment to preserve the three existing recognized historic structures that currently occupy the site (Genevieve Van Vleck's house, Persephone Bakery, and Juicery). The TCHPB will participate actively in the planning process and the determination of appropriate incentives and/or bonuses."

To further implement the above decision, the applicant for this proposed rezoning continues to work with the TCHPB and presented to the Board the attached Special Restriction to be

recorded against the property. After reviewing the Special Restriction, the TCHPB passed the following motion.

“Motion to accept the spirit of the special restrictions as presented, excluding the alternative clause outlining demolition option timeline. The board shall review and provide comment prior to the September 2018 meeting for review during the meeting. Final comments to be discussed and submitted to Town of Jackson Planning. Prior to Town of Jackson Planning recommendation to Town of Jackson Council, the Teton County Historic Preservation Board reserves the right to retract formal support of Genevieve block Special Restriction language.”

The only reason the subject property was removed from the DC zoning plan now has been eliminated. The owners will work with the TCHPB to record a deed restriction or execute a similar mutually agreed upon mechanism, that guarantees the historic preservation plan will be honored when future redevelopment plans are created.

Two other areas were similarly removed from the DC zone for the same reason. Reportedly, these other locations also contain historic structures. The applicant for this request, however, pro-actively and creatively worked with the TCHPB to develop a preservation plan and gained the Board's support. This preservation plan accomplishes what current rules and regulations do not accomplish. It is foreseeable that historic preservation regulations will not exist for years, and when they do exist, they will not be more comprehensive or effective than the voluntary preservation plan that the applicant and TCHPB have created. Furthermore, under the current Urban Commercial zoning designation, nothing preserves the historic buildings that are on the property. The work and commitment to develop and execute a preservation plan for the East Broadway property has gained the applicant the right to move forward with this application for DC zoning.

In addition to the preservation plan, the East Broadway property fits squarely into the overall DC district, in terms of its characteristics, location and the Comprehensive Plan goals.

- The land uses on the subject property are similar to the other properties in the DC zone,
- and the property fulfills the intent of the DC zone as well or better than other properties in the district. (See the DC intent detailed below.)
- The DC zone is rectangular and extends east-west from Braun/Willow to the 5-way, and north-south from Gill to south side of Pearl. The subject property is a conspicuous gap missing from the DC district.
- Finally, as detailed below, the East Broadway property is perfectly located to implement the Comprehensive Plan goals for which the DC zone was created. The DC zone is generally derived from the Comprehensive Plan Subarea 2.3. The DC district encompasses almost all of Subarea 2.3, except for a northern extension that is zoned CR. The subject property is in Subarea 2.3, as are all other properties in the DC zone.

“Commercial uses that create an active and engaging pedestrian experience will be predominantly located on the first and second floors of buildings.”

Design standards in the DC zoning district require building fronts and pedestrian amenities that promote the pedestrian experience. The Comprehensive Plan and our modern planning approach want the prominent 400-foot long street frontages of 135 and 175 East Broadway to be redeveloped by the new DC standards.

“A goal of this subarea will be to create a consistent building size and form.

Properties to the south and north are zoned DC. The exclusion of the subject property from the DC plan creates a significant hole in the DC zoning district. Including this property in the DC will apply the same design, size and form standards that already apply to neighboring properties to the south and north.

“Buildings should be located to create an attractive street wall and take advantage of good urban design principles”

As stated above, this property contains 400 feet of street frontage along East Broadway and Deloney, and provides an outstanding opportunity to achieve the type of street wall envisioned in the Comprehensive Plan. Including the subject property in the DC zone will ensure this vision is accomplished. Continuing to apply the outdated UC zoning will provide no such assurance.

Intent of the DC Zone

Below are the five stated Intents that are adopted in the DC zone followed by the applicant's response.

1. General intent of the Downtown Core (DC) zone is to provide for a vibrant mixed use area with a variety of uses and amenities, consisting of wide sidewalks and retail shopfronts pulled up to the street.
2. Buildings can be up to 3 stories in height. Massing, articulation, openings, and step backs are used to reduce bulk and mass. Buildings are located close to the sidewalk, creating an attractive street edge. Large storefront windows invite and encourage pedestrian activity.
3. Parking is primarily provided off-site on public lots and on-street. Parking provided on-site is underground or screened from view by buildings.
4. Active and engaging uses are encouraged on ground floors but not required, with offices, apartments, single-family attached, and lodging primarily located on upper stories.
5. Based primarily on sub area 2.3 of the Comprehensive Plan.

The DC zoning district was created to accomplish these intent statements through the various land use, design and development standards. Approving the requested rezoning for 135 and

175 East Broadway will ensure future changes and redevelopment of the property will occur consistently with the standards and intentions of the DC zone.

In addition to the intentions of the DC zone, another key intention must be considered. By the inclusion of the subject property in Comprehensive Plan Subarea 2.3, and the inclusion of the property in the Planning Department's initial proposal, it always has been intended to include the East Broadway property in the new downtown zoning district.

Findings for Approval – Zoning Map Amendment

Below are the applicant's responses to the Findings for Approval, which are essentially the same Findings the Planning Department proposed and the Mayor and Town Council adopted in 2015, with minor changes.

1. Is consistent with the purposes and organization of the LDRs

The proposed District 2 amendments to the Official Zoning Map were the first targeted mapping update to the LDRs and were deemed by the Mayor and Town Council to be consistent with the LDRs' primary purpose which is to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. In addition, the new District 2 zoning districts were found by the Mayor and Council to be consistent with the LDRs' goals to improve predictability in LDR implementation and to focus on desired future character as the organizing principle for development in the Town.

The subject property is included in the same Comprehensive Plan Subarea 2.3, which is the basis for the new DC zoning district. The property is prominently and strategically located to implement the Comprehensive Plan.

2. Improves implementation of the desired future character defined in the Illustration of Our Vision chapter of the Comprehensive Plan

The proposed District 2 amendments to the Official Zoning Map were intended as the first step in updating the Official Zoning Map to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. The proposed zoning map changes were found by the Mayor and Council to implement the desired future character of Character District 2: Town Commercial Core, which is for a vibrant, walkable, and "lights on" downtown area, consistent with the new policy direction of the 2012 Comprehensive Plan.

See the above Comprehensive Plan section for a discussion specific to 135 and 175 East Broadway and its inclusion in the same Subarea as the other DC properties.

3. Is necessary to address changing conditions or public necessity

The adoption of a Jackson/Teton County Comprehensive Plan adopted in May 2012 is a new condition that requires the Town to update its LDRs and Official Zoning Map to be consistent with the new Comprehensive Plan. The District 2 zoning map amendments, which provide updated zoning regulations for Character District 2: Town Commercial Core, is the first targeted mapping update by the Town to implement the new Comprehensive Plan.

The subject property is included in the same Comprehensive Plan Subarea 2.3 as all the existing DC zoning. It is prominently and strategically located to implement the Comprehensive Plan.

4. Is consistent with other adopted Town Ordinances

The proposed District 2 amendments to the Official Zoning Map were deemed by the Mayor and Council to be consistent with other adopted Town Ordinances. Including the subject property in the DC does not change this Finding.

SPECIAL RESTRICTIONS FOR
135 E. BROADWAY AND 175 E. BROADWAY
(Preservation of Historic Buildings)

KNOW ALL MEN BY THESE PRESENTS that the undersigned Declarants, as owners of property located at 135 E. Broadway and 175 E. Broadway (collectively the Property) in the Town of Jackson, Wyoming, adopts these Special Restrictions and hereby declares that the properties described above shall be held, sold, and conveyed subject to the following restrictions, covenants, and conditions affecting all buildings, appurtenances, and improvements, upon each Lot and shall be in addition to all other covenants, conditions or restrictions of record effecting each Lot, and shall be enforceable by the Jackson, Wyoming Mayor and Town Council.

RECITALS:

WHEREAS, Declarants have agreed to restrict the sale, purchase, transfer, use, development and redevelopment of each Lot within the Property to accomplish the Historic Preservation Board's goal of preserving historic buildings; and

WHEREAS, the Historic Preservation Board has identified buildings throughout Teton County that have historic significance and three such buildings are located on the Property; and

WHEREAS, the Declarants and Historic Preservation Board have agreed to a certain plan to preserve said three buildings on that are currently on the Property; and

WHEREAS, the Declarants have agreed to a binding commitment on itself, successors and assigns to implement the agreed upon historic preservation plan for the said Property; and

WHEREAS, the Historic Preservation Board has committed to support the Declarants' proposed plan to rezone the subject Property under the Town of Jackson zoning scheme to match the zoning classification of adjoining properties.

NOW, THEREFORE, the Declarant, in consideration of the said commitment of support from the Historic Preservation Board, covenants and agrees for itself and each and every person, entity or organization acquiring ownership of each Lot or the entire Property, to the following special covenants, conditions and deed restrictions:

1. Van Fleck House Retained on Property. The building known as the Van Fleck House that currently houses the Genevieve restaurant and has housed Jedidiah's restaurant in the past, shall be retained on the Lot at 135 E. Broadway or be more moved to 175 E. Broadway. This restriction does not preclude the structure from being moved to a different location on said Property provided the new location fronts onto East Broadway.

2. Visual Prominence. In addition to fronting East Broadway, the Van Fleck House shall be maintained or relocated to be visually prominent within any redevelopment scheme of the Property. Visual prominence shall mean that the Van Fleck House stands alone with sufficient separation from other buildings to allow it to be in scale with its immediate surroundings and to maintain its architectural integrity.
3. Relocate Two Buildings. At the landowners expense the two buildings currently housing Persephone's Bakery and the Juicery may be maintained anywhere on the Property or relocated to another meaningful location.
4. Meaningful Location. For purposes of these Special Restrictions, a meaningful location shall consist of the following characteristics:
 - a. Within Jackson Valley. The location may be within or outside of the Town of Jackson but shall be within Jackson Valley.
 - b. One or Two Locations. The two structures that may be moved off the property may be moved to the same property or to separate properties.
 - c. Legal Lot, Tract. The location(s) that receive the building(s) shall exist as a legally created lot, tract or parcel under Wyoming State Statutes and/or the applicable Land Development Regulations.
 - d. LDR Compliance. The relocated structures shall be placed on the new property in compliance with all applicable land use regulations and building codes.
 - e. Visually Prominent. The location(s) shall be visible from a public street or road, or if relocated to the unincorporated portion of Teton County, the buildings shall be visible from a public or private street or road.
 - f. Meaningful Use. The relocated structures shall be placed on the new property in a manner and location that allows them to serve a meaningful use or purpose. The placement also shall allow the structures to continue serving a meaningful use or purpose in the event the property is further developed or redeveloped.
 - g. Longevity. While these Special Restriction do not establish a minimum length of time the relocated structures shall remain in the new locations, at the time of the relocation, there shall be no foreseeable factors or reasons that will cause the structures to be further relocated.
5. Identify Locations. The first application submitted to the Town of Jackson for a development permit to redevelop the Property shall identify the locations to where each of the three buildings will be moved, whether the locations are on the Property or

in another location. This first application shall include proof of ownership of the land that will receive the structures or a binding contract or agreement to purchase said land.

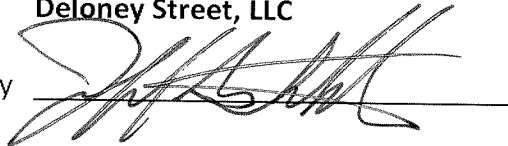
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7. Rezoning Denied. In the event the Declarants' proposal to rezone the Property to match the zoning classification of the adjoining properties is denied by the Jackson Mayor and Town Council, these Special Restrictions shall become null and void.
8. Severability. Whenever possible, each provision of these Special Restrictions shall be interpreted in such a manner as to be valid under applicable law; but, if any provision of the foregoing shall be invalid or prohibited under said applicable law, such provisions shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provisions of these Special Restrictions.
9. Modifications. The Declarants agree that any modification to these Special Restrictions shall be made in writing, signed by the Declarants, approved by the Historic Preservation Board, and recorded with the Clerk of Teton County, Wyoming.

IN WITNESS WHEREOF, the Declarants have executed this instrument on August
30, 2018.

DECLARANTS:

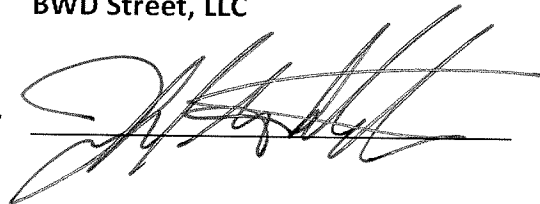
Deloney Street, LLC

By



BWD Street, LLC

By



LETTER OF AUTHORIZATION

Deloney Street/BWD, LLC

, "Owner" whose address is: _____

135 & 175 E. Broadway Jackson, WY 83001

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

Max C. Chapman, Jr.

, as the owner of property

more specifically legally described as: PT SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116

(If too lengthy, attach description)

HEREBY AUTHORIZES Jeff Golightly

as

agent to represent and act for Owner in making application for and receiving and accepting on Owners behalf, any permits or other action by the Town of Jackson, or the Town of Jackson Planning, Building, Engineering and/or Environmental Health Departments relating to the modification, development, planning or replatting, improvement, use or occupancy of land in the Town of Jackson. Owner agrees that Owner is or shall be deemed conclusively to be fully aware of and to have authorized and/or made any and all representations or promises contained in said application or any Owner information in support thereof, and shall be deemed to be aware of and to have authorized any subsequent revisions, corrections or modifications to such materials. Owner acknowledges and agrees that Owner shall be bound and shall abide by the written terms or conditions of issuance of any such named representative, whether actually delivered to Owner or not. Owner agrees that no modification, development, platting or replatting, improvement, occupancy or use of any structure or land involved in the application shall take place until approved by the appropriate official of the Town of Jackson, in accordance with applicable codes and regulations. Owner agrees to pay any fines and be liable for any other penalties arising out of the failure to comply with the terms of any permit or arising out of any violation of the applicable laws, codes or regulations applicable to the action sought to be permitted by the application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing on behalf of a corporation, partnership, limited liability company or other entity, the undersigned swears that this authorization is given with the appropriate approval of such entity, if required.

OWNER:

(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: Managing Partner

(if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual Owner)

STATE OF Wyoming

)

)SS.

COUNTY OF Teton

)

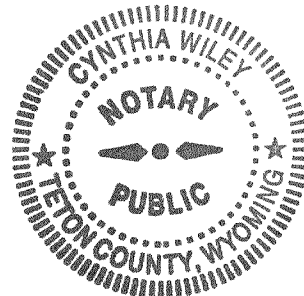
The foregoing instrument was acknowledged before me by Max C. Chapman this 6th day of September, 2018.

WITNESS my hand and official seal.

(Notary Public)

My commission expires: 6/18/21

(Seal)



PLEASE SIGN IN

	First & Last Name	Phone Number	Email Address
1	ANNA SULLIVAN	303-807-3795	ANNASULLIVANphotography@GMAIL.COM
2	Julien Hass	970 909 0780	Julien.Hass@gmail.com
3	MIKEY FRANCO	307 690 3732	mikey@franco snowshoes.com
4	Jennifer Franco	307 690 5257	jencfranco@yahoo.com
5	Alice Widdess	307-690-5015	alice@alicewiddess.com
6	Allie Gros	307 732 7063	countryejnewsandguide.com
7	Jim Hill	263-561-3130	PSYCHIC @ gillco.com
8	ESTHER LUBER	307-409-7200	ESTHERLUBER@gmail.com
9	Adam Connor	517 335 4912	adamconnor@retail.com
10	Levin Cohane	690-4135	levin@persephorahkny.com
11	Ali Cohane	413-4749	ali@
12	Josh Governale	690-2800	
13	Linda Cohane	732-5492	
14	Andrew Smith	690 4238	andrepasmith@gmail.com
15	Karen Stewart	690-0701	kstewart3050@gmail.com
16	RYAN KOURAI	310 600-3947	RYANKOURAI@MAC.COM
17	Antley Campbell		
18	Jessica Vandenberg	690-6461	JESSICA@HBCAFEANDJUICERY.COM
19	Morgan Jaouen	733-2414	
20	Fred Pugh	413 1030	fred@genieveugh.com
21	NICK FREDRICKS	(517) 643 5577	FREDRI41@GMAIL.COM
22	Charles Bemis	(612) 709-1270	bemis17@gmail.com
23	Sam Fitz	307 413 4907	abigwarden@ gmail.com

	First & Last Name	Phone Number	Email Address
24	Michelle Lynago	708-534-8308	MichelleWine@hotmail.com
25	MAC GREGOR	413 5555	MAC GREGOR WYO @ MA
26	Mike Clement		
27	Biel R		
28	Ann B		
29	Way St		
30	Ally		
31	Hindi Christine Ramsey	307-690-8956	the.hindi.christine@gmail.com
32	Walter Gerald	864-918-3636	Waltergerald@gmail.com
33	Shane Rothman	970 275 1684	bredtoshred@hotmail.com
34	Kata Winters	307 200 1932	katalwinters@gmail.com
35	Peter Rosenberg	617-771-4680	peter@parosenberg.com
36	Sara Kirkpatrick	307-699-3540	sara.kirkpatrick17@gmail.com
37	NOAH OSNOS	307 203-2009	sonsony 2 charter
38	Chris Kirkpatrick		.net
39	Andy Ripas	307 690-7722	aripr2@gmail.com
40	Penny		
41	Daryl Peightal	307-413-1632	dmpaightal@hotmail.com
42			
43			
44			
45			
46			
47			
48			

Name	Address 1	Address 2
1 HUTCHINGS, MELVIN D. ET UX	1892 COUNTY ROAD 125	THAYNE, WY 83127
2 DELONEY STREET, LLC	P.O. BOX 10309	JACKSON, WY 83002
3 98 CENTER STREET, LLC	217 WEST 22ND STREET	NEW YORK, NY 10011
4 RTN-PSN TRUST, THE	PO BOX 6754	JACKSON, WY 83002
5 JACKSON STATE BANK C/O THOMSON PROPERTY TA	P. O. BOX 2609	CARLSBAD, CA 92009
6 REDEEMER LUTHERAN CHURCH OF JACKSON, WY	PO BOX 1016	JACKSON, WY 83001
7 CHET'S WAY, LLC	P.O. BOX 694	JACKSON, WY 83001
8 BROADWAY MILLENNIUM LLC C/O GTPM	P.O. BOX 2282	JACKSON, WY 83001
9 BROADWAY & WILLOW LLC	P.O. BOX 4719	JACKSON, WY 83001
10 GILL FAMILY, LLC	2505 SHOOTIN' IRON RANCH ROAD	JACKSON, WY 83001
11 FOAM CAPITAL, LLC	PO BOX 1045	JACKSON, WY 83001
12 TETON COUNTY SCHOOL DISTRICT #1	P.O. BOX 568	JACKSON, WY 83001
13 JACKSON STATE BANK & TRUST, THE	P. O. BOX 2609	CARLSBAD, CA 92009
14 BALD EAGLE, LLC	P.O. BOX 6368	JACKSON, WY 83002
15 BROADWAY CENTRE LLC	PO BOX 489	JACKSON, WY 83001
16 KOMINSKY, RAYMOND J. & SHARLEEN KAY	PO BOX 1318	JACKSON, WY 83001
17 CRABTREE CORNER, LLC	PO BOX 3767	JACKSON, WY 83001
18 JOURDAN FAMILY LIMITED PART.	P.O. BOX 3159	JACKSON, WY 83001
19 JACKSON STATE BANK ATTN: ACCOUNTING DEPT.	P. O. BOX 2609	CARLSBAD, CA 92009
20 ZIONS FIRST NATIONAL BANK	1 SOUTH MAIN STREET	SALT LAKE CITY, UT 84133-1109
21 JACKSON HOLE DEVELOPMENT CO. C/O MATHIEU, J.	PO BOX 1659	JACKSON, WY 83001
22 MILLER HOUSE, LLC	P.O. BOX 4902	JACKSON, WY 83001
23 COLTER BAY RESORTS, LLC	6067 NORTH SEQUOIA DRIVE	FRESNO, CA 93711-1256
24 BWD STREET, LLC	PO BOX 10309	JACKSON, WY 83002
25 TOWN OF JACKSON	P.O. BOX 1687	JACKSON, WY 83001
26 YAMINI LLC	PO BOX 9696	JACKSON, WY 83002
27 SOLEIL HOLDING COMPANY, LLC	P.O. BOX 4316	JACKSON, WY 83001
28 DOWNTOWN HOLDINGS, LLC	P.O. BOX 126	JACKSON, WY 83001

August 23, 2018

Neighborhood Meeting Notice

Application Type:	Zoning Map Amendment
Location of Land Zoning Amendment Would Change:	135 & 175 West Broadway Jackson, WY 83001 PT SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116 AKA The block that contains: Café Genevieve / Persephone / Flower Hardware / Healthy Being Café and Juicery / Susan Fleming Jewelry / Belle Cose at Home
Meeting Details:	Thursday, September 6 th at 3:00 pm. Centennial Building Suite 204 610 West Broadway, Jackson WY 83001
How to view the Final Application:	The final application will be filed with the Town of Jackson Wyoming Building and Planning Department. Tyler Valentine, Principle Planner, is leading the staff review. He can be reached at 307.733.0440 ext. 1305 or tvalentine@jacksonwy.gov
Description of the Proposal:	See Attached Documents

135, 175 EAST BROADWAY REZONING REQUEST FROM UC/LO TO DC/LO

Proposal

This application proposes to rezone property at 135 and 175 East Broadway from Urban Commercial/Lodging Overlay (UC/LO) to Downtown Core/Lodging Overlay (DC/LO).

Recent History, Context

This application proposes to complete the task that was initiated by Town planners and officials in 2014 and 2015 and zone property on East Broadway, located 225 feet from the Town Square, as DC/LO. Town planners, acting on the direction of the Mayor and Town Council and implementing the Comprehensive Plan, brought forward a 2014 plan to rezone the downtown commercial core to DC. This plan created a zoning district designed to accomplish numerous Comprehensive Plan goals and apply the newly conceived form-based zoning code. This Town initiative included 135 and 175 East Broadway, the property that is the subject of this request to amend the zoning map.

In addition to the favorable recommendation from the Planning Department, the Planning Commission also recommended approval of the zoning plan with the East Broadway property included. The Mayor and Town Council progressed toward a vote on the zoning plan with no hesitation about including the subject property when, at one of the last meetings before the Council's approval of the zoning plan, the East Broadway property was removed from the plan.

A concern expressed by the Teton County Historic Preservation Board precipitated the removal. The TCHPB was concerned that inadequate tools existed to preserve buildings that have historic significance. The subject property contains one historic structure that houses Café Genevieve, and two additional buildings of significance to TCHPB that house Persephone's Bakery and the Juicery. Owners of the subject property took TCHPB's concern seriously and have devised a plan in conjunction with the TCHPB to preserve all three buildings. TCHPB now supports moving forward to add the property to the DC zoning district. Below is a motion unanimously approved by the TCHPB during a recent meeting.

"The TCHPB agrees to support efforts to rezone 135-175 East Broadway to the downtown core zoning in exchange for Garner Capital management's commitment to preserve the three existing recognized historic structures that currently occupy the site (Genevieve Van Vleck's house, Persephone Bakery, and Juicery). The TCHPB will participate actively in the planning process and the determination of appropriate incentives and/or bonuses."

The only reason the subject property was removed from the DC zoning plan now has been eliminated. The owners will work with the TCHPB to record a deed restriction or execute a

similar mutually agreed upon mechanism, that guarantees the historic preservation plan will be honored when future redevelopment plans are created.

Two other areas were similarly removed from the DC zone for the same reason. Reportedly, these other locations also contain historic structures. The applicant for this request, however, pro-actively and creatively worked with the TCHPB to develop a preservation plan and gained the Board's support. This preservation plan accomplishes what current rules and regulations do not accomplish. It is foreseeable that historic preservation regulations will not exist for years, and when they do exist, they will not be more comprehensive or effective than the voluntary preservation plan that the applicant and TCHPB have created. Furthermore, under the current Urban Commercial zoning designation, nothing preserves the historic buildings that are on the property. The work and commitment to develop and execute a preservation plan for the East Broadway property has gained the applicant the right to move forward with this application for DC zoning.

In addition to the preservation plan, the East Broadway property fits squarely into the overall DC district, in terms of its characteristics, location and the Comprehensive Plan goals.

- The land uses on the subject property are similar to the other properties in the DC zone,
- and the property fulfills the intent of the DC zone as well or better than other properties in the district. (See the DC intent detailed below.)
- The DC zone is rectangular and extends east-west from Braun/Willow to the 5-way, and north-south from Gill to south side of Pearl. The subject property is a conspicuous gap missing from the DC district.
- Finally, as detailed below, the East Broadway property is perfectly located to implement the Comprehensive Plan goals for which the DC zone was created. The DC zone is generally derived from the Comprehensive Plan Subarea 2.3. The DC district encompasses almost all of Subarea 2.3, except for a northern extension that is zoned CR. The subject property is in Subarea 2.3, as are all other properties in the DC zone.

Justification

All the reasons that led the Planning Department and Planning Commission to recommend DC zoning for the subject property in 2014 – 2015, and the Council's inclusion of the property in the DC until the TCHPB comment, continue to exist today. As detailed below, including the property in the DC implements the Comprehensive Plan and is consistent with the adopted intent of the DC zoning district.

Comprehensive Plan

The property is in Comprehensive Plan Subarea 2.3, Downtown. Below are excerpts from the Plan followed by the applicant's responses.

Subarea 2.3 is classified as "Transitional" and is described by the Plan as "the center of civic, cultural, economic and social activity as well as the center of the visitor experience, as a significant amount of lodging is located here."

The “transitional” classification identifies the property in Subarea 2.3, including 135 – 175 East Broadway, for future change and redevelopment. The DC zoning district was created with numerous form-based-zoning and dimensional standards to guide future changes toward a desired character and development pattern. DC zoning will ensure that future changes and redevelopment of the East Broadway property will be consistent with the character and pattern of downtown development. The subject property is critical to achieving this consistency because it is

- centrally located in the downtown commercial core,
- maintains a prominent location in the area that is zoned DC, and
- sits between DC-zoned areas that are located to the south and north.

“The goal of this subarea is to create a vibrant mixed use area by accommodating a variety of uses and amenities. The subarea will be the starting point for the development of a refined Lodging Overlay.”

The subject property is perfectly located and configured to accomplish this adopted vision for downtown. It is located 225 feet from the Town Square and contains 400 feet of street frontage along East Broadway and Deloney. The land uses and building design will occupy a prominent and central location in downtown. Applying the new DC standards for mixed uses, form-based building design and dimensions will allow this property to be redeveloped in a manner that creates vibrancy and a variety of uses.

“Commercial uses that create an active and engaging pedestrian experience will be predominantly located on the first and second floors of buildings.”

Design standards in the DC zoning district require building fronts and pedestrian amenities that promote the pedestrian experience. The Comprehensive Plan and our modern planning approach want the prominent 400-foot long street frontages of 135 and 175 East Broadway to be redeveloped by the new DC standards.

“A goal of this subarea will be to create a consistent building size and form.

Properties to the south and north are zoned DC. The exclusion of the subject property from the DC plan creates a significant hole in the DC zoning district. Including this property in the DC will apply the same design, size and form standards that already apply to neighboring properties to the south and north.

“Buildings should be located to create an attractive street wall and take advantage of good urban design principles”

As stated above, this property contains 400 feet of street frontage along East Broadway and Deloney, and provides an outstanding opportunity to achieve the type of street wall envisioned in the Comprehensive Plan. Including the subject property in the DC zone will ensure this vision is accomplished. Continuing to apply the outdated UC zoning will provide no such assurance.

Intent of the DC Zone

Below are the five stated Intents that are adopted in the DC zone followed by the applicant's response.

1. General intent of the Downtown Core (DC) zone is to provide for a vibrant mixed use area with a variety of uses and amenities, consisting of wide sidewalks and retail shopfronts pulled up to the street.
2. Buildings can be up to 3 stories in height. Massing, articulation, openings, and step backs are used to reduce bulk and mass. Buildings are located close to the sidewalk, creating an attractive street edge. Large storefront windows invite and encourage pedestrian activity.
3. Parking is primarily provided off-site on public lots and on-street. Parking provided on-site is underground or screened from view by buildings.
4. Active and engaging uses are encouraged on ground floors but not required, with offices, apartments, single-family attached, and lodging primarily located on upper stories.
5. Based primarily on sub area 2.3 of the Comprehensive Plan.

The DC zoning district was created to accomplish these intent statements through the various land use, design and development standards. Approving the requested rezoning for 135 and 175 East Broadway will ensure future changes and redevelopment of the property will occur consistently with the standards and intentions of the DC zone.

In addition to the intentions of the DC zone, another key intention must be considered. By the inclusion of the subject property in Comprehensive Plan Subarea 2.3, and the inclusion of the property in the Planning Department's initial proposal, it always has been intended to include the East Broadway property in the new downtown zoning district.

Findings for Approval – Zoning Map Amendment

Below are the applicant's responses to the Findings for Approval, which are essentially the same Findings the Planning Department proposed and the Mayor and Town Council adopted in 2015, with minor changes.

1. Is consistent with the purposes and organization of the LDRs

The proposed District 2 amendments to the Official Zoning Map were the first targeted mapping update to the LDRs and were deemed by the Mayor and Town Council to be consistent with the LDRs' primary purpose which is to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. In addition, the new District 2 zoning districts were found by the Mayor and Council to be consistent with the LDRs' goals to improve predictability in LDR implementation and to focus on desired future character as the organizing principle for development in the Town.

1

The subject property is included in the same Comprehensive Plan Subarea 2.3, which is the basis for the new DC zoning district. The property is prominently and strategically located to implement the Comprehensive Plan.

2. Improves implementation of the desired future character defined in the Illustration of Our Vision chapter of the Comprehensive Plan

The proposed District 2 amendments to the Official Zoning Map were intended as the first step in updating the Official Zoning Map to implement the Jackson/Teton County Comprehensive Plan adopted in May 2012. The proposed zoning map changes were found by the Mayor and Council to implement the desired future character of Character District 2: Town Commercial Core, which is for a vibrant, walkable, and “lights on” downtown area, consistent with the new policy direction of the 2012 Comprehensive Plan.

See the above Comprehensive Plan section for a discussion specific to 135 and 175 East Broadway and its inclusion in the same Subarea as the other DC properties.

3. Is necessary to address changing conditions or public necessity

The adoption of a Jackson/Teton County Comprehensive Plan adopted in May 2012 is a new condition that requires the Town to update its LDRs and Official Zoning Map to be consistent with the new Comprehensive Plan. The District 2 zoning map amendments, which provide updated zoning regulations for Character District 2: Town Commercial Core, is the first targeted mapping update by the Town to implement the new Comprehensive Plan.

The subject property is included in the same Comprehensive Plan Subarea 2.3 as all the existing DC zoning. It is prominently and strategically located to implement the Comprehensive Plan.

4. Is consistent with other adopted Town Ordinances

The proposed District 2 amendments to the Official Zoning Map were deemed by the Mayor and Council to be consistent with other adopted Town Ordinances. Including the subject property in the DC does not change this Finding.

SPECIAL RESTRICTIONS FOR
135 E. BROADWAY AND 175 E. BROADWAY
(Preservation of Historic Buildings)

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WHEREAS, the Historic Preservation Board has identified buildings throughout Teton County that have historic significance and three such buildings are located on the Property; and

WHEREAS, the Declarants and Historic Preservation Board have agreed to a certain plan to preserve said three buildings on that are currently on the Property; and

WHEREAS, the Declarants have agreed to a binding commitment on itself, successors and assigns to implement the agreed upon historic preservation plan for the said Property; and

WHEREAS, the Historic Preservation Board has committed to support the Declarants' proposed plan to rezone the subject Property under the Town of Jackson zoning scheme to match the zoning classification of adjoining properties.

NOW, THEREFORE, the Declarant, in consideration of the said commitment of support from the Historic Preservation Board, covenants and agrees for itself and each and every person, entity or organization acquiring ownership of each Lot or the entire Property, to the following special covenants, conditions and deed restrictions:

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2. Visual Prominence. In addition to fronting East Broadway, the Van Fleck House shall be maintained or relocated to be visually prominent within any redevelopment scheme of the Property. Visual prominence shall mean that the Van Fleck House stands alone with sufficient separation from other buildings to allow it to be in scale with its immediate surroundings and to maintain its architectural integrity.
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4. Meaningful Location. For purposes of these Special Restrictions, a meaningful location shall consist of the following characteristics:
 - a. Within Jackson Valley. The location may be within or outside of the Town of Jackson but shall be within Jackson Valley.
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6. Timing of Relocation. The first application for a construction permit to redevelop the Property, which could be for a permit for demolition, grading or building construction, shall be accompanied by any necessary application(s) for the applicable permits to relocate each of the three structures.
7. Rezoning Denied. In the event the Declarants' proposal to rezone the Property to match the zoning classification of the adjoining properties is denied by the Jackson Mayor and Town Council, these Special Restrictions shall become null and void.
8. Severability. Whenever possible, each provision of these Special Restrictions shall be interpreted in such a manner as to be valid under applicable law; but, if any provision of the foregoing shall be invalid or prohibited under said applicable law, such provisions shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provisions of these Special Restrictions.
9. Modifications. The Declarants agree that any modification to these Special Restrictions shall be made in writing, signed by the Declarants, approved by the Historic Preservation Board, and recorded with the Clerk of Teton County, Wyoming.

IN WITNESS WHEREOF, the Declarants have executed this instrument on _____
_____, 2018.

DECLARANTS:

Deloney Street, LLC

By _____

BWD Street, LLC

By _____

PLANNING

Project Number	P18-267	Applied	9/7/2018	STOL
Project Name	Zoning Map Amendment - 135, 175 E. Broadway		Approved	
Type	ZONING MAP AMENDMENT		Closed	
Subtype			Expired	
Status	STAFF REVIEW		Status	
Applicant		Owner	DELONEY STREET, LLC	
Site Address		City	State	Zip
135, 175 E BROADWAY AVENUE	JACKSON	WY	83001	
Subdivision	Parcel No	General Plan		
	22411627300010			

Type of Review	Status	Dates			
		Sent	Due	Received	Remarks
Contact					
Notes					
Fire		9/7/2018	9/28/2018		
Kathy Clay					

Legal APPROVED W/CONDITI 9/7/2018 9/28/2018 9/28/2018 see notes
A Cohen-Davis
(9/28/2018 12:58 PM AC)
LDR 8.7.2.C, Findings for Approval for a Zoning Map Amendment states that:

"The advisability of amending the Official Zoning Map is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed zoning map amendment the Town Council shall consider factors, including, but not limited to, the extent to which the proposed amendment:

1. Is consistent with the purposes and organization of the LDRs;
2. Improves implementation of the desired future character defined in the illustration of Our Vision chapter of the Comprehensive Plan;
3. Is necessary to address changing conditions or a public necessity;
4. Is consistent with other adopted Town Ordinances.

Parks and Rec NO COMMENT 9/7/2018 9/28/2018 10/1/2018
Steve Ashworth
(10/2/2018 9:37 AM STOL)
No comments as it relates to Parks & Recreation for P18-267.

Pathways NO COMMENT 9/7/2018 9/28/2018 10/1/2018
Brian Schilling
(10/2/2018 9:33 AM STOL)
No comments from pathways

Planning 9/7/2018 9/28/2018
Paul Anthony
The Planning Department has no comments at this time but will continue to communicate with the applicant in preparation for drafting the staff report for the Planning Commission.

Type of Review Contact Notes	Status	Dates			Remarks
		Sent	Due	Received	
Police Todd Smith (9/11/2018 12:59 PM STOL) Tiffany, The Police Department has no concerns at this time regarding this project. I am sure we will have comments in the future once we know what the applicant intends to build on the lots. Thank you, Todd Smith	APPROVED	9/7/2018	9/28/2018	9/11/2018	
Public Works Brian Lenz		9/7/2018	9/28/2018		
START Darren Brugmann		9/7/2018	9/28/2018		
TC Housing Authority Stacy Stoker	NO COMMENT	9/7/2018	9/28/2018	9/7/2018	



11.27.18

(sent via email only)

RE: The VanVleck Block (135/175 E. Broadway)

Dear Mayor, Council Members, Planning Commissioners and Planning Director, Town of Jackson:

The Town of Jackson Planning staff has asked the Teton County Historic Preservation Board to provide our recommendation on the current application to rezone 135/175 E. Broadway to DC from UC. This letter will serve to inform you of the Board's recommendations in this matter.

In exchange for the desired rezoning, the current property owner has proposed a deed restriction on three of the historic buildings currently on the site (requiring that one stay on-site, while two would be relocated off-site to a "meaningful location"), which would require any buyer to preserve these structures, albeit in new locations.

Our board's mission is to identify, protect, and preserve Teton County's architectural and archaeological heritage to ensure respectful planning and development that preserves our sense of place and community character. In keeping with the first part of this mission—to identify—we would like to share the block's history for your consideration as you review this rezoning request.

This block's historic structures include the Roy and Genevieve VanVleck House (Café Genevieve), which is listed in the National Register of Historic Places; their daughter Stella and Harry Weston's home (Whole Being Juicery), which was recently evaluated as eligible for the National Register by a professional survey historian; and their second daughter Jean and Bob Stewart's home (the red house) which has not yet been evaluated for National Register eligibility. The Van Vleck family was an early contributor to the town of Jackson's foundational businesses and to its governance. Genevieve was a member of the nation's first all-women's Jackson town council in the 1920s. The VanVleck house was moved in the 1990s closer to the street front (approximately 30 feet) but retains a high level of historic integrity. The VanVleck daughters' homes have not been moved and retain a high level of integrity. Furthermore, the landscape reflects the spatial arrangement, vegetation and building density of early Jackson, meaning that this property is significant for more than just its buildings. For more information see attached documents.

Other structures, such as the Smith House (Persephone) were moved to the site, however, they are historic buildings and stand to tell the history of life in early Jackson. The buildings

containing Workshop, the former Flower Hardware and Belle Cose (the back half of the building) also appear to be more than fifty years old and have not yet been evaluated for historic significance.

Many significant events occurred in these buildings and they serve as a symbol of our town's past in a visually prominent location. But equally importantly, these buildings are now occupied by thriving local businesses and deserve to have a continued life as public venues. The group of mature cottonwood trees has established a park-like setting that is a significant asset for the community.

The Teton County Historic Preservation Board has been working with Gardner Capital Management Corp. through their representative, Jeff Golightly, since April 24, 2018 when Mr. Golightly first presented his proposal to the Board. In the absence of any other historic preservation options other than relocation of the buildings (one of which would remain on the existing site, but in a different, unspecified location), the Board ambivalently agreed to continued discussions, pending review of the final language of the deed restriction and Town Council's review. As stated in our August 14, 2018 board meeting, the TCHPB made a motion to "accept the spirit of the special restrictions as presented" but "reserves the right to retract formal support of Genevieve block Special Restriction Language."

In the ensuing months since our August meeting there has been a vigorous public conversation about the need for greater protection of historic places throughout Teton County, but particularly at this location. The local media has featured numerous articles about the subject and we have heard citizen testimony on the issue at our Board meetings. Our board has received many emails, phone calls and attendees to our meetings out of concern over the rezoning request. As a public board, we feel it is our responsibility to reconsider our support of the special restrictions as presented in this rezoning application.

In addition, since initially engaging with Gardner Capital Management Corp., our board has commissioned historic resource surveys of two of the buildings on the site (the Persephone Building/Smith House and the Whole Being Juicery/Weston House). We have learned through this research that other buildings located on the 135-175 East Broadway lots may also have historic significance (as noted above). Knowing that this site actually may contain upwards of seven historic structures, only saving one on-site now seems insufficient. If the current owners were willing to save the three VanVleck family buildings in their current locations, we could support moving forward on the rezoning request. However, we recognize that by asking the current owner to retain more than just the VanVleck Cabin on site that we would be posing a substantial burden. Communities like ours often compensate for these restrictions by creating preservation incentives (bonus FAR, transferable development rights, increased height allowance, reduced parking or landscaping space, etc.). While implementing Historic Preservation LDR's is on the town and county planning departments' 2019 workplan, we currently have no such tools in place.

In response to this concern, the TCHPB has initiated a planning study to evaluate potential preservation planning tools, scheduled to begin in January that will address our community's need for comprehensive historic preservation strategies. The study will be conducted in collaboration with the planning departments of the Town of Jackson and Teton County and will be a public process that solicits public comment and participation. The Board believes that it

would be premature to approve the rezoning application for these properties before that study is completed.

We recognize that this creates an inconvenient delay for the property owner; however, as a community board we are obligated to respond to the public's concerns and advocate for a better resolution. At a recent public meeting about this issue, Mr. Golightly pointed out that if we had appropriate historic preservation measures in place we would have avoided this controversy, and he endorsed our planning efforts for the future. We thank Gardner Capital Management Corp. for their willingness to advance historic preservation in our town through their offer to save these three structures; however, relocated structures lose their historic connections to a specific history of the place where they were built and lose significant meaning. A more comprehensive solution will preserve Jackson's unique identity as an asset for the future. The subject property, 135-175 East Broadway, represents a remarkable set of buildings and landscapes that tells the tale of early 20th Century Jackson; once this history is lost, there is no getting it back. We urge you to take the time to properly develop a comprehensive preservation strategy for our community.

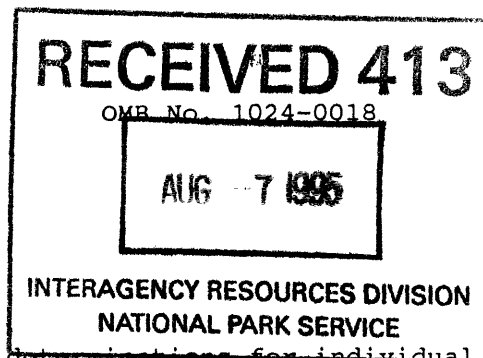
Thank you for your consideration,

Katherine Wonson, President
TCHPB

NPS Form 10-900
(Rev. 10-90)

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES
REGISTRATION FORM



This form is for use in nominating or requesting ~~determinations for individual~~ properties and districts. See instructions in How to Complete the National Register of Historic Places Registration Form (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

=====

1. Name of Property

=====

historic name Van Vleck House and Barn

other names/site number Jedidiah's House of Sourdough (TE 1373)

=====

2. Location

=====

street & number 135 East Broadway not for publication NA
city or town Jackson vicinity NA
state Wyoming code WY county Teton code 039 zip code 83001

=====

3. State/Federal Agency Certification

=====

As the designated authority under the National Historic Preservation Act of 1986, as amended, I hereby certify that this X nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property X meets does not meet the National Register Criteria. I recommend that this property be considered significant nationally statewide X locally. (See continuation sheet for additional comments.)

Wesley Baickerwade July 12, 1995
Signature of certifying official Date

State Historic Preservation Office
State or Federal agency and bureau

In my opinion, the property meets does not meet the National Register criteria. (See continuation sheet for additional comments.)

Signature of commenting or other official Date

State or Federal agency and bureau

=====

4. National Park Service Certification

=====

I, hereby certify that this property is:

☒ entered in the National Register	<u>Antonietta Vleck</u>	<u>9/7/95</u>
See continuation sheet.		
☐ determined eligible for the		
National Register		
See continuation sheet.		
☐ determined not eligible for the		
National Register		
☐ removed from the National Register		
☐ other (explain):		

for Signature of Keeper Date
 of Action

=====

5. Classification

=====

Ownership of Property (Check as many boxes as apply)

☒ private
☐ public-local
☐ public-State
☐ public-Federal

Category of Property (Check only one box)

☒ building(s)
☐ district
☐ site
☐ structure
☐ object

Number of Resources within Property

Contributing	Noncontributing	
<u>2</u>	<u> </u>	buildings
<u> </u>	<u> </u>	sites
<u> </u>	<u> </u>	structures
<u> </u>	<u> </u>	objects
<u>2</u>	<u> </u>	Total

Number of contributing resources previously listed in the National Register N/A

Name of related multiple property listing (Enter "N/A" if property is not part of a multiple property listing.)

N/A

=====

6. Function or Use

=====

Historic Functions (Enter categories from instructions)

Cat: Domestic

Sub: Single Dwelling

Current Functions (Enter categories from instructions)

Cat: Commerce

Sub: Restaurant

=====

7. Description

=====

Architectural Classification (Enter categories from instructions)

Other: Log Cabin
Wood frame barn

Materials (Enter categories from instructions)

foundation Concrete
roof Asphalt shingles
walls Log
wood boards - barn
other Porch:Wood
Chimney:Brick

Narrative Description (Describe the historic and current condition of the property on one or more continuation sheets.)

=====

8. Statement of Significance

=====

Applicable National Register Criteria (Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing)

- ☒ A Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ B Property is associated with the lives of persons significant in our past.
- ☐ C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ D Property has yielded, or is likely to yield information important in prehistory or history.

Criteria Considerations (Mark "X" in all the boxes that apply.)

- ☐ A owned by a religious institution or used for religious purposes.
☒ B removed from its original location. (36'west & 30'south)
☐ C a birthplace or a grave.
☐ D a cemetery.
☐ E a reconstructed building, object, or structure.
☐ F a commemorative property.
☐ G less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance (Enter categories from instructions)

Settlement

Period of Significance 1910 - 1935

Significant Dates 1910/1911

Significant Person (Complete if Criterion B is marked above)

N/A

Cultural Affiliation N/A

Architect/Builder Van Vleck, Roy

Narrative Statement of Significance (Explain the significance of the property on one or more continuation sheets.)

=====

9. Major Bibliographical References

=====

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS)

☐ preliminary determination of individual listing (36 CFR 67) has been requested.

☐ previously listed in the National Register

☐ previously determined eligible by the National Register

☐ designated a National Historic Landmark

☐ recorded by Historic American Buildings Survey # _____

☐ recorded by Historic American Engineering Record # _____

Primary Location of Additional Data

☐ State Historic Preservation Office

☐ Other State agency

☐ Federal agency

☐ Local government

☐ University

☒ Other

Name of repository: Teton County Historical Center

=====

10. Geographical Data

=====

Acreage of Property: 1.03 acres

UTM References (Place additional UTM references on a continuation sheet)

Zone Easting Northing

A 12 519465 4813990

B 12 519465 4813900

Verbal Boundary Description (Describe the boundaries of the property on a continuation sheet.)

Boundary Justification (Explain why the boundaries were selected on a continuation sheet.)

=====

11. Form Prepared By

=====

name/title Amy Kiessling/Research Assistant

organization Teton County Historical Society

date June 27, 1994

street & number P.O. Box 1005

telephone (307)733-9605

city or town Jackson

state WY zip code 83001

USDI/NPS Registration Form
The Van Vleck House and Barn
Teton County, Wyoming

Page 6

=====
Property Owner
=====

(Complete this item at the request of the SHPO or FPO.)

name Abi Garaman

street & number P.O. Box 1

telephone (307)733-3333

city or town Jackson, WY 83001

state WY

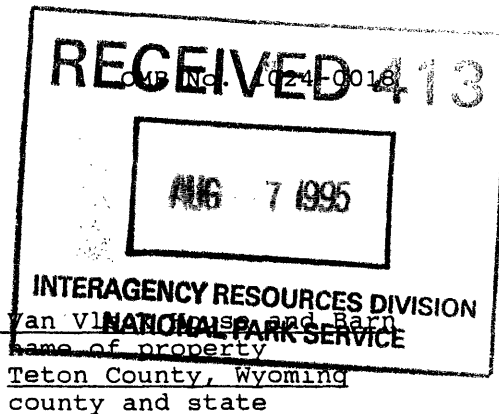
zip code 83001
=====

NPS Form 10-900-a
(8-86)

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

Section 7 Page 7



The Van Vleck House is a small one-story log cabin located at 135 East Broadway in the town of Jackson, Wyoming. The building was built as a residential home in the years 1910 and 1911. The residential barn stands 42 yards behind the house at 130 East Deloney Avenue. Jean Van Vleck Stewart believes her father built the barn within a few years of the house. The barn is rectangular with dimensions of 29 feet 9 inches by 27 feet 8 inches. It is a wood frame barn with narrow novelty siding. It is 2 stories with a gable roof.

The present appearance of the property is very similar to its historical appearance despite a fire which occurred in 1988 destroying much of the interior of the house, but did not affect the barn. The exterior of the house remained intact and relatively unaffected by the fire.

After the fire the house was moved from the original foundation which did not span the entire building and was placed on an all new poured concrete foundation approximately 36 feet to the west and 30 feet to the south. Although the building was moved the historic appearance has been maintained in that the move was very slight and the building sits in the same orientation and retains its original setting, feeling and association as well as general location and distance from the barn.

The overall layout of the house is L-shaped. Today the building's dimensions are 36 feet by 60 feet. These dimensions are only slightly larger than the original. (Historically there had been an enclosed porch attached to the back of the cabin but due to extensive fire damage it was removed. The dimensions of this enclosed porch were 10 feet 6 inches by 24 feet. When this area was removed it was replaced with an addition 10 feet longer in length and 3 feet shorter in width. Although the addition is slightly larger the exterior walls are of the same type of construction and materials as the original.)

Another change occurring to the exterior at the time of the fire, was the removal and reconstruction of a closet that had protruded off the northeast corner of the building. The closet maintains its original dimensions of six feet square.

A deck, 47 feet 5 inches by 18 feet, was added off to the west side of the building. This deck is wood and is constructed in the same fashion as the front deck which spans the entire width of the building across the front. The front deck/porch is from the original 1910 construction and is covered with an overhang. The porch ceiling of the overhang has a typical tongue and groove ceiling. One by four tongue and groove pine was used for the porch decking. Four inch diameter log balusters standing 23 inches high support a 2 by 6 clap railing wrapping around both the original front porch and added porch. At the corners and walkways two and three balusters extend to the porch overhang.

The exterior walls are stained brown and cement daubing is used between the logs. The logs, are laid horizontally and are peeled. The corners are square corner notched and have cornerboards. The logs are squared off at the window openings four to eight inches beyond the window trim.

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

Section 7 Page 8

Van Vleck House and Barn
name of property
Teton County, Wyoming
county and state

The facade is asymmetrical with two windows at the left of the door and one to the right. The windows are all double hung with one over one window panes. The window surrounds are plain wood molding with lugsills. There had been nine windows on the original construction, today there are eight. A window on the west side of the building was made into a door to meet fire safety regulations. The front door is from the original construction. It is wood and has four panels with a window. The door surround is plain molding.

The soffit is trimmed with a crown molding. The medium pitched hip roof is covered with brown asphalt shingles. The front hip is intersected by a rear hip. There are two scroll metal ornaments from the original construction placed along the roof ridges. Two brick chimneys straddle the roof, one in front and one in back.

The interior was badly damaged in the 1988 fire and is newly constructed. It was reconstructed with the help of Jean Van Vleck Stewart who grew up in the home. The interior had originally been divided into four rooms. Today there are three rooms excluding the new addition in back (D on Diagram 1). Plain wood surrounds trim the entryways dividing the rooms. The front room on the west side of the building maintains the original oak wood floor. It is laid out in a square pattern paralleling the walls. The floor on the east side of the building is a pine overlay done by Roy Van Vleck in the 1940's.

Overall the building is in good condition. Roy and Genevieve resided in the home until 1960. From 1960 to 1974 Jean Van Vleck Stewart lived in the home. After 1974 the building was leased to a local doctor for three years. After this Teton County leased the home as a social services center for troubled teens. In 1980, the house was leased as a restaurant: Jedediah's Original House of Sourdough. It still serves this same function today.

There are numerous windows and doors found on all sides of the barn. The east and west sides each have a rolling barn door. Both sides also have man doors, two appear to have been put in at a later date. The east and south sides each have a six over six lite window. All sides, except the west side, have a hinged hay loft door. On the east side there is small window with a pulley above it used to haul hay into the large hay loft. At the northeast corner is the turn drum that was used to pull up the hay. Three small windows, one on the south side and two on the north side, appear to be later additions.

The south side of the barn roof is wood shingled and the north side is covered with rolled asphalt roofing. A central brick chimney straddles the ridge. The barn is painted a traditional barn red.

Overall the barn is in fair condition and is currently being used for storage by the owner of the property.

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

Section 8 Page 9

Van Vleck House and Barn
name of property
Teton County, Wyoming
county and state

The Van Vleck House and barn are significant for their association with and representation of the earliest settlement and development of the Town of Jackson in the early twentieth century. The structures are therefore eligible for listing in the National Register of Historic Places under criterion A. They constitute an interesting and fragile property, which survived the early settlement period and the later transformation of Jackson into an internationally recognized tourist destination area after the National Park was established. The buildings work together in that both were needed and utilized for everyday living. The barn, located at the back of the lot, was used by the Van Vlecks, as was typical in the early 1900s, much like a modern garage. It housed cows, chickens, horses, wagons and hay. There were never more than a dozen similar residences located within downtown Jackson, but no other examples of this residential/ house and barn relationship remain. In 1989 a historic survey of the downtown identified twenty historic buildings standing, with only six retaining integrity. Two of these are stone structures from the 1920s, two are the Van Vleck house and barn and two have since been removed. With very few exceptions historic buildings that have survived in Jackson have lost their integrity in a frenzied drive to create "a wild west image" that represents the communities role as a tourist town but not its early history. As the only original residential structures adjacent to the town square, the Van Vleck house, barn, on the original lot represent the earliest history and development of this genuine old west agricultural community, which was transformed by tourism.

Prior to the early 1880's, Jackson Hole had no permanent year round residents and it was not until 1884 that the valley would see its first settlers. In that year John Holland filed for the first homestead on what is now the National Elk Refuge. Until 1900 the valley remained sparsely populated with homesteads being found throughout the 80 mile long, 15 mile wide valley. The population for the entire valley was less than 50 souls. With the sparse population the settlers did not need a central location or town. With the growth of population little towns with their post offices and schools emerged all over the valley. Eventually Jackson was established as the valley's primary community. (Daugherty n.d.:14:3) Jackson possessed an advantage over other areas for its geographic location. It "was a natural crossroad linking all ends of the valley." (Huidekoper 1978:70) The earliest settlement of Jackson was considerably more spread out than it is now, with a single property owner having a home, barn, garden and outbuildings taking up the space of approximately 1/4 of a standard city block.

In 1896, the members of the Jackson Hole Gun Club built the town's first community building, the Clubhouse, on what eventually developed into the Town Square, a space equivalent to a standard city block. Although still standing the clubhouse is no longer recognizable as a historic building, its original shape and facade have been altered in an attempt to "westernize" its appearance.

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

Section 8 Page 10

Van Vleck House and Barn
name of property
Teton County, Wyoming
county and state

In 1901 the residents established the first town plat and by 1907 there were twenty-one buildings in Jackson. These buildings included businesses as well as homes. An early photograph shows the twenty-one buildings spread over an approximately 40 block area with empty lots and open space. A few residential structures can be picked out on large lots with barns located at the back of the property, unfortunately the photo is faded and the properties were never labeled so we can not be certain which properties functioned in specific capacities. Large lots were not uncommon, and provided street access to the entrances of all buildings.

In 1906, Roy and Frank Van Vleck arrived in Jackson. They had grown up in Michigan, tried their hand at running a mercantile in Colorado, and were headed for Oregon when they stopped in Jackson Hole to hunt for provisions. Apparently winter was coming, they liked the area and stayed. They found work assisting in the construction of the first Mormon church in the valley. Moved from its original location the church is now a pizza parlor with a red and white striped "boom town" facade. They rented the first floor of the most prominent structure in town, the Clubhouse, and using the provisions from their first merchandising operation, they opened Jackson's first mercantile. In 1909 Roy and Frank purchased the V-V cattle ranch near Hoback Junction and operated it with the store in partnership. In 1913 they decided to split the two operations and didn't apparently care who got which. They decided by the flip of a coin -- Frank got the ranch and Roy the general store.

The population of the town of Jackson had grown to 180 by 1910, the year Roy Van Vleck began building the log cabin known as the Van Vleck House. Before its completion in 1911, he traveled to Michigan and married his childhood sweetheart, Genevieve Lawton. He and his bride returned to Jackson and lived in the cabin until 1960.

By 1914 Jackson was well on its way to becoming a permanent town. The residents built a two-story, brick schoolhouse and the valley's first bank was opened providing a local source of funding for community development. Both buildings have been replaced with new structures. The town incorporated and elected its first mayor and town council. (Daugherty n.d.:14:5)

The Van Vleck House became the center of much social activity for it was the only home with its own water well. As recalled by the Van Vleck's daughters, Jean Stewart and Stella Weston, when friends and neighbors were not coming to the home for meetings or social activities, they came to get water to carry away to their homes.

In 1917 the mayor had established the first street grade around the area in the center of town known as the park. It had a deep swale which was filled with dirt from various building projects and eventually became a town square park through the attentions of numerous citizens. It was during this period of growth that many buildings were added to the downtown area. None of these are recognizable as historic structures because of alterations.

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

Section 8 Page 11

Van Vleck House and Barn
name of property
Teton County, Wyoming
county and state

The Mercantile remained in the same location until 1918 when it moved to a new building next to the Clubhouse. The structure has been reconstructed so many times local authorities believe the original structure is completely gone. Roy continued to operate the store on the square for another 27 years. By 1930 the town of Jackson had a population of 533.

As was typical in the early years of settlement of such agricultural communities, the merchants became very important in local issues. Roy and Genevieve Van Vleck were active participants in the community and both are important figures in the history of Jackson. Genevieve Van Vleck was among the five women who served on the nation's first all women's town council. The five women won the Municipal election in May of 1920, replacing the entire town council. They served until June of 1923. Roy Van Vleck was a successful businessman and was instrumental in bringing new ranching equipment to the valley. He administered the Homestead Act of 1862 in the position of Land Commissioner, served on the hospital and school boards, and was a member of several civic organizations.

Roy Van Vleck is also closely associated with what was probably the most controversial event to take place in the valley, the creation and eventual extension of the Jackson Hole National Monument now known as Grand Teton National Park. The controversy spanned across some four decades and the eventual result, the creation of the park, changed Jackson history forever. Van Vleck spent a considerable amount of time and money on representing his and fellow businessmen's interests. (Starr 1992:14-15)

The businessmen felt that as the park was extended, valuable agricultural land would be taken out of production. They feared their businesses would suffer due to the departure of settlers. (Righter 1982:64) In 1931, the opponents of park extension published a weekly paper, "The Grand Teton", for the express purpose of voicing their opposition. The paper was published by the Grand Teton Publishing Co. (Inc.) with Van Vleck as one of the "principle stockholders." He also served as Secretary-Treasurer for the first few issues of this paper. (Bonney 1984:23) Representing the interests of the opposition, Van Vleck traveled to Washington D.C. and New York City in 1934 where he met with a number of government officials.

By 1945, with the population approaching 1300 Jackson had become a tourist town and its early history as an agricultural community was pushed aside. Today we see buildings designed portraying the West as defined by novels, Hollywood movies and television.

Very little has been done in the way of preserving Jackson's historic structures and as a result the town has lost much of its historic character, but the Van Vleck House as one of few original structures, is representative of Jackson's earliest history. Many of Jackson's oldest buildings have been torn down or altered dramatically. Because of tremendous growth and property tax pressures, (the population now exceeds 7000) the original community has been almost completely replaced with a mythical "wild west fantasy" representation including

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

Section 8 Page 12

Van Vleck House and Barn
name of property
Teton County, Wyoming
county and state

elements described by visitors and locals as "wild west boom town", "riverboat victorian" and "French Alps". Gone are the open spaces and empty lots which historically characterized this small agricultural community. With the exception of the town square, the Van Vleck property is the only remaining open space within the 3 block area surrounding the square. The house and barn stand in the midst of modern encroachments as a reminder of how Jackson began. It serves to remind locals of their heritage and provides visitors with an opportunity to experience a small reminder of the towns modest beginnings.

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

Section 9 Page 13

Van Vleck House and Barn
name of property
Teton County, Wyoming
county and state

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United States Department of the Interior
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NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

Section 10 Page 14

Van Vleck House and Barn
name of property
Teton County, Wyoming
county and state

Verbal Boundary Description:

The boundary for the Van Vleck property is defined by the sidewalk edge on the north along East Deloney Avenue and by the sidewalk edge on the south along Broadway. The boundary on the west is defined by the east edge of the driveway extending from north to south approximately 5 feet west of the building and porch exterior. The eastern boundary is defined by an invisible and arbitrary line extending north and south approximately 5 feet east of the building exterior. The legal description for the property included within the boundaries is as follows. Part of the SW 1/4 of the SW 1/4 of Section 27, Township 41, North Range 116 West

Boundary Justification:

The boundary includes only the Van Vleck House and barn. The barn stands on the back of the property 42 yards from the house in its original location. The property is bounded by Broadway to the south, a driveway to the west and East Deloney Avenue on the north. An arbitrary boundary is used on the east to exclude a portion of the original lot and a building recently placed directly east of the house. This building was not part of the original Van Vleck property.

From: Susan Marsh
To: [Town Council](#)
Subject: Broadway and Willow block
Date: Friday, September 07, 2018 8:31:59 AM

Dear Council,

I just read in Buckrail (and have seen the signs posted) that "If the owner of a property in Jackson wants to pursue a large scale project like a PUD, or an amendment to a master plan, or, in this case, a proposed change to zoning, he/she is required by the town to hold a public meeting to inform the 'neighborhood' and take a temperature."

I'm unsure as to whether this is accurate. Maybe the process for variance requests differs, but in my experience everyone within 200 feet of the property in question is usually given a written notice well in advance of the meeting. Is posting a sign a good enough substitute? In any case, I think a lot of us dread the day when the historic site with its big shade trees and open space will be replaced by a huge hotel.

Thanks, Susan Marsh

From: [Alyssa Friedman](#)
To: [Town Council](#)
Cc: molly@jhalliance.org; [Emily Coleman](#); [Clare Stumpf](#); [Ryan Nourai](#)
Subject: Public Comment 11/15: Deloney Block
Date: Wednesday, October 17, 2018 7:03:13 PM

Dear Town Council,

Thank you for listening to my public comment during the town council meeting on Monday. I know I speak on behalf of my colleagues cc'ed when I say that we appreciate your thoughtful consideration of our concern.

On Monday, I had spoken about my concern regarding the the sale of the Deloney block. We understand that Gardner capital has a deal in place to sell the block to an unknown entity contingent upon an upzone, which would be voted upon by the town council, to build a hotel.

We are concerned because this potential hotel would effectively wipe out an important community space and green space within jackson, and relocate or demolish historic structures, all of which house small local business and are important to the community character of Jackson Hole, and thus to locals and our tourist economy.

Our questions are:

1. What's the timeline for a vote on the upzone?
2. What's your take on the situation?
3. What does community character mean to you?
4. Do you think that having an ordinance in place for historic preservation is important prior to voting?

Thank you for your time and consideration of our questions.

All best,
Alyssa

From: [Katherine Wonson](#)
To: [Jim Stanford](#)
Subject: Re: Diary of a Dude Wrangler
Date: Wednesday, October 24, 2018 11:47:23 AM
Attachments: [forward 3 revised final.docx](#)

Oops. Here is the attachment.

On Wed, Oct 24, 2018 at 11:43 AM Katherine Wonson <katherinewonson@gmail.com> wrote:

I think you'll enjoy my forward as it sounds like we like the same thing about Struthers Burt's message in general.

Also, I just had a good talk with Jeff Golightly. I told him that we would be writing a letter in advance of the planning commission meeting on November 7th. I also stated that we are of course in support of something more preservation-forward for the property and did mention that perhaps talking to a philanthropic partner would be the way to go. He brought up the Land Trust and said he was interested in that avenue but did not want to pursue it to the detriment of his current proposal with the current buyer. I am going to reach out to Laurie and float this with her. Would you like to be involved or do you want to make the contact? I think our board should be pursuing the most pro-preservation avenue as a counter proposal to the current rezone attempt. I don't want to get sideways with Jeff as you know, but since this came up in our discussion, I don't feel disingenuous in talking to Laurie. Thoughts?

k

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Katherine Wonson
307-690-5062

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Katherine Wonson
307-690-5062

“The desire to succeed and the desire to be left alone are antagonistic.”

[STRUTHERS BURT, DIARY OF A DUDE WRANGLER, PG #?]

Comment [WK1]: Probably good to indicate that this is a quote from the book.

In 1904 Struthers Burt was a restless Princeton graduate with an inexplicable lifelong pull westward. This western orientation finally landed Burt in the Tetons as a partner in the JY Ranch, Jackson Hole’s first dude ranch, or guest ranch for those wishing to vacation by stepping into the life of Western cattle rancher. After that partnership dissolved in 1911, Burt joined the JY’s resident doctor, and fellow Philadelphian, Dr. Horace Carncross, to found the Bar BC Dude Ranch in 1912.

Jackson in the first decade of the twentieth century had seventeen permanent town structures, no bridges crossing the valley’s formidable rivers, sixty families and no stable economy. A man could experience solitude in abundance, but success, or financial success at least, was illusive. Jackson stood as the last remnant of the frontier into the 1880s for good reason. The growing season is less than ninety days long; the cobbled soil is poor for cultivation; there was no access to market to sell goods; and grazing was difficult on the Homestead Act and the Desert Lands Act’s limited land allowances.

A natural entrepreneur, Burt flipped the equation by exploiting the valley’s seeming liabilities to become its greatest assets. In Burt’s view it was precisely the isolation, ruggedness, inhospitable climate, colorful bachelors and lack of access to population centers that made Jackson Hole the dude rancher’s paradise and therefore a good investment. The Bar BC Dude Ranch represents a simple business proposition: It is more profitable to wrangle dudes than wrangle cattle in Jackson Hole.

To build a successful dude ranch business in the spring of 1912 meant erecting nine cabins, two bunkhouses, a shop and saddle shed, a laundry, 1,120 rods of fence, a well, a bridge and an irrigation system to accommodate the “tiny village” of fifteen dudes, accompanying staff and the owners. This was all accomplished by two teams of unskilled laborers over the two-month mud season with unreliable access to building materials. By 1913, the ranch would expand to accommodate forty guests with an additional fifty supporting staff. And so enters the conflicting relationship between the desire for success and solitude. As Burt writes, “You must do your best, even on a place where from fifty to over a hundred people are gathered together, not to destroy the impression of wildness and isolation.”

Struthers Burt and Katharine Newlin Burt espoused the virtues of the Wild West, isolation and rugged individualism through their popular books (namely *Diary of a Dude Wrangler*), films and magazine articles, enticing urban easterners to patronize their ranch. These dudes, or “strangers to a country,” once baptized to the dude ranch life would often in turn buy land and start their own dude ranches, continuing the successive pattern of eastern settlement. By 1925, dude ranching had become such a staple of the local economy that there were 600 dudes visiting the valley at a time when there were only 400 local residents. Bar BC Dude Ranch was among the leading employers in the valley.

Dude ranching was a welcomed arrival in Post-WWI-Jackson following the collapse of the cattle market. However, the valley’s tourism boom posed a new problem. As Jackson left its frontier past behind, signs of overdevelopment and exploitation of its natural resources emerged. In 1919, the Bureau of Reclamation proposed a dam on Jenny Lake, spurring forward thinking business owners like Burt to reconsider their position against the National Park idea to conserve the Teton Range and glacial lakes.

Burt’s conflicting desire for success and solitude came to a head in the 1920s as the growth of tourism seemed limitless and the land’s capacity to support private development clearly limited. Ultimately,

Burt chose the desire to create space for solitude and walked away from the desire for continued success when he put his conservation values into action. In 1930 Burt sold his beloved Bar BC Ranch with the intent for it to become part of Grand Teton National Park. Burt writes “since it was part of the dude-man’s job to protect game and preserve beauty, in other words, to use foresight, he was regarded as a reactionary and an impediment to progress... And, as a matter of fact, the dude-wranglers were the first men to realize as a class the potential values of the Far West, partly from clear-sighted selfishness.”

I like to think that the Burts satisfied the desire for both solitude and success when they used the proceeds of the sale of the Bar BC to build the Three Rivers Ranch in Moran, WY. As an invite-only writers retreat, the throngs of guest and obligations of running a dude ranch were safely behind them, offering them opportunities for being “left alone.” Success certainly found them as the couple, and later their author son, Nathaniel Burt, enjoyed prolific literary careers while writing at the ranch.

In 2017, over three million people visited Grand Teton National Park. Burt’s dude ranching economy was the seed that matured into today’s tourism industry. Modern Jackson residents struggle with the paradox of success and solitude just as Burt did. For many of us success depends on growing the tourism economy that brings more people here, though many of us came to the valley for the same romanticized ideals of solitude that Burt did.

In a bit of poetic justice, the Bar BC is now a great place to go to “be left alone.” After the life lease attached to the 1930 sale of the ranch was terminated in 1986, Grand Teton National Park stopped maintaining the buildings. By the early 2000s the structures were in poor condition and in-the-know park visitors or locals would seek out the ranch to explore the ranch as an architectural ruin. Burt’s vision of Grand Teton National Park as “a museum on the hoof” where visitors would experience the western cultural landscape was finally realized.

In 2018, the park and the Grand Teton National Park Foundation entered into a partnership to stabilize two core buildings, the Main Cabin and Corse Cabin, making a commitment to start preserving the important story of the Bar BC. With the republication of *Diary of a Dude Wrangler*, we are similarly committing to the preservation of the Bar BC Dude Ranch. It is the synthesis of the logs and nails and Burt’s firsthand accounts of building the ranch that makes its history come alive. Too frequently in this valley, we are left with only the history and not the physical reminder of that history. I am proud to have been a part of keeping both the story and the building alive.

From: [Miriah Atwood](#)
To: [Town Council](#); [Pete Muldoon](#); [Hailey Morton Levinson](#); [Jim Stanford](#); [Don Frank](#); [Bob Lenz](#)
Subject: A note concerning Deloney Block
Date: Tuesday, November 20, 2018 4:19:46 PM

Dear Town Council,

I am writing on behalf of the Deloney block. During the fall of 2017 I visited Jackson for the first time as part of my partner's interview at St. John's Hospital. We were two days into our visit when we sat down on the patio of Cafe Genevieve and had brunch. It was there, sitting on that porch eating and watching ravens fly over head that we fell in love with Jackson. We packed up and moved here two months later and have learned a lot about life in Jackson since then.

I have learned that there are places that tourists go, there are fewer places that locals go, and even fewer places where locals and tourists go together. Persephone, The Juicery, and our beloved Cafe Genevieve are among the few places where locals and tourists congregate together in harmony. I can't help but feel that if torn down and replaced with yet another commercial property, there will be three fewer places where locals feel welcome and another area that will no longer belong to the community members that live here. The Deloney block is the magic of Jackson. If we hadn't stumbled upon Cafe Genevieve and had breakfast there over a year ago I'm not sure we would be here now.

I walk around town square and do not feel welcome, or much desire at all frankly, to enter any of the shops on the square. In fact, the square is avoided at all costs during the summer season because it is so crowded with visitors. Why would we want to upzone Deloney block to a Downtown Core area and cut off locals from another beautiful, relaxing green space and the historic buildings that made us all fall in love with Jackson in the first place. Please reconsider the upzoning deal and keep Deloney block under the Urban Commercial zoning. The town of Jackson needs a Historic Preservation Ordinance to protect the remaining magical properties we have, because without these places, why are we here? The historic locations in town are what makes Jackson stand out and establishing a preservation ordinance will aid in keeping Jackson from becoming like any other sold out ski town. Look to Aspen and Telluride as an example, such beautiful communities keeping the magic alive and allowing their histories to thrive.

We do not want to risk "Jackson sucks, tell you friends." turning into "Jackson sucks.".

Thank you,
Miriah Atwood

Email: miriah3@gmail.com
Mobile: 802 359 2474

From: [Maggie Moore](#)
To: [Town Council](#); pmuldoon@jackson.gov
Subject: Giving Thanks for Jackson's Precious Historic Character
Date: Sunday, November 25, 2018 8:07:57 PM

Dear Mayor Pete Muldoon and Town Council Members Hailey Morton-Levinson, Jim Stanford, Don Frank and Bob Lenz,

Thank you for all you do to protect the community character of Jackson. I care for the historic buildings, the green space, and local atmosphere on the Cafe Genevieve block, and want to see it protected. I admire this unique view every day from the windows of my desk at Spark- when the snow falls, when the leaves turn, and am grateful for the pleasing idiosyncrasies of each building among the cottonwood trees, and how they contain Jackson's past and present within them.

With that in mind, please say no to Max Chapman's upzone deal. Allow the community time to fund-raise and get an alternative offer to Max Chapman. Allow the Historic Preservation Board time to develop a Historic Preservation Ordinance to protect our remaining historic places in town. Please consider the Cafe Genevieve block as part of a long-term vision for our community. I am grateful that this precious parcel of land and buildings that reflect our Western heritage and local community still exists in Jackson. And once it is gone, it is gone forever. Please preserve what is left.

Sincerely,

Maggie Moore

--

Maggie Moore
Founder



P.O. Box 1676
Jackson, WY 83001
203-610-2477

www.artemisartadvisory.com

From: [Alexander Muromcew](#)
To: [Town Council](#)
Cc: [Arne Johanson](#); [Jon Schechter](#)
Subject: "The Deloney Block"
Date: Sunday, November 25, 2018 3:06:04 PM

Dear Town Council and Town Council Elect:

Thank you for all your hard work. You certainly have several contentious and complex issues before you. One of these is the future of the "Deloney Block." I care for the historic buildings, the green space, and the local atmosphere on the Cafe Genevieve block, and would like to see it protected. I am writing to ask you to deny Gardner Capital's application for an upzone. I hope that we as a community can come up with a compelling offer to purchase the block ourselves. Also, please allow the Historic Preservation Board time to develop a Historic Preservation Ordinance to protect our remaining historic places in town.

Sincerely,

Alexander Muromcew

Alexander Muromcew
P.O. Box 11897
Jackson, WY 83002
307-690-0968